

Notice of Allowability

Application No.

09/805,582

Examiner

Chriss S. Yoder, III

Applicant(s)

KINJO, NAOTO

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to RCE filed 10/30/2006.
2. ☒ The allowed claim(s) is/are 1-25.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


VIVEK SRIVASTAVA
SUPERVISORY PATENT EXAMINER

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on October 30, 2006 has been entered.

Allowable Subject Matter

Claims 1-25 are allowed.

The following is an examiner's statement of reasons for allowance:

As for claim 1, the prior art does not teach or fairly suggest the use of a digital camera that creates a composite image by displaying a previous image along with an image that is to be captured, and after the composite image is confirmed, both the previously stored image and the current image are stored separately, as well as the corresponding additional data consisting of image composition parameters.

As for claim 6, the prior art does not teach or fairly suggest the use of a digital camera that that creates a composite image by clipping out the reference area of the image automatically when the subject in the image is focused.

As for claim 7, the prior art does not teach or fairly suggest the use of a digital camera that that creates a composite image, and that when set to stereophotographic

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mode the area of the image that has a focal distance set to infinity, is clipped out the reference image automatically and set to the reference image area.

As for claim 11, the prior art does not teach or fairly suggest the use of an image processing method for a digital camera that creates a composite image by displaying a previous image along with an image that is to be captured, and after the composite image is confirmed, both the previously stored image and the current image are stored separately, as well as the corresponding additional data consisting of image composition parameters.

As for claim 14, the prior art does not teach or fairly suggest the use of an image processing method for that that creates a composite image by clipping out the reference area of the image automatically when the subject in the image is focused.

As for claim 20, the prior art does not teach or fairly suggest the use of a digital camera that creates a composite image by displaying a previous image along with an image that is to be captured, and after the composite image is confirmed, both the previously stored image and the current image are stored separately, as well as the corresponding additional data consisting of image composition parameters.

As for claim 23, the prior art does not teach or fairly suggest the use of a digital camera that creates a composite image by displaying a previous image along with an image that is to be captured, and after the composite image is confirmed, both the previously stored image and the current image are stored separately, as well as the corresponding additional data consisting of image composition parameters.

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As for claim 24, the prior art does not teach or fairly suggest the use of an image processing method for a digital camera that that creates a composite image by clipping out the reference area of the image automatically when the subject in the image is focused.

As for claim 25, the prior art does not teach or fairly suggest the use of an image processing method for a digital camera that that creates a composite image by clipping out the reference area of the image automatically when the subject in the image is focused.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chriss S. Yoder, III whose telephone number is (571) 272-7323. The examiner can normally be reached on M-F: 8 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivek Srivastava can be reached on (571) 272-7304. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

CSY
December 20, 2006



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SUPERVISORY PATENT EXAMINER
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